

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 136 - HB 204

March 31, 2021

SUMMARY OF ORIGINAL BILL: Enacts the “CROWN Act: Create a Respectful and Open World for Natural Hair”. Clarifies, for purposes of the *Tennessee Human Rights Act*, that “race” includes ancestry, ethnic group identification, ethnic background, and the physical or cultural characteristics associated with a certain race, including, but not limited to, hair texture or protective hairstyles. Defines “protective hairstyles”, as including, but not limited to, braids, locks, and twists.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006382): Deletes and rewrites all language after the enacting clause such that the only substantive changes are: deleting the definition of “race”; and adding language to establish that protection from employment-related discrimination under the *Human Rights Act* for protective hairstyles does not apply to public safety employees if it would prevent the employee from performing essential functions of the employee’s job requirements.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 4-21-101(a)(3), discrimination because of race, creed, color, religion, sex, age or national origin in connection with employment and public accommodations, and because of race, creed, color, religion, sex, or national origin in connection with housing is prohibited.
- Passage of the proposed legislation would clarify that discrimination because of a protective hairstyle, including but not limited to braids, locks, and twists, is prohibited.

- Based on information provided by the Tennessee Human Rights Commission (THRC), any increase in the number of complaints filed as a result of the proposed legislation can be handled within existing resources; therefore, any fiscal impact to the THRC is estimated to be not significant.
- Any fiscal impact to state or local government is estimated to be not significant.

IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumption for the bill as amended:

- No estimated significant impact to jobs or commerce in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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